



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services

757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: # 4310-00000-00239
Date Received: 14 April 2014
Commission/Civic: UAC/UARB
Existing Zoning: _____ Application Accepted by: JS Fee: \$1900
Comments: _____

TYPE(S) OF ACTION REQUESTED

(Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

2 STORY TOILET ROOM CORE

3312.03 ADMINISTRATION REQUIREMENTS

3312.49 CALCULATION METHODS

192 ÷ 75 = 3 additional

LOCATION

1. Certified Address Number and Street Name 20 E. 13TH AVENUE

City COLUMBUS State OHIO Zip 43201

Parcel Number (only, one required) 010-018622-00

APPLICANT: (IF DIFFERENT FROM OWNER)

Name RICHARD G. BUTZ, ARCHITECT INC.

Address 5940 N. HIGH STREET City/State WORTHINGTON Zip 43085

Phone # (614) 565-5729 Fax # _____ Email RGBUTZARCHINC@MSN.COM

PROPERTY OWNER(S):

Name SAM AND FADI MICHAEL

Address 20 E. 13TH AVENUE City/State COLUMBUS Zip OHIO

Phone # _____ Fax # _____ Email _____

☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☐ Attorney

☒ Agent

Name RICHARD G. BUTZ, ARCHITECT INC.

Address 5940 N. HIGH STREET City/State WORTHINGTON Zip 43085

Phone # (614) 565-5729 Fax # _____ Email RGBUTZARCHINC@MSN.COM

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE

x

Richard Butz Architect

PROPERTY OWNER SIGNATURE

x

Sam and Fadi Michael

ATTORNEY / AGENT SIGNATURE

x

Richard Butz Architect

PLEASE NOTE: incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make all checks payable to the Columbus City Treasurer

SHEET 1

Revised 11/12 tmt

1900
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CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

14310-00000-00239
20 EAST 13th STREET

One Stop Shop Zoning Report Date: Thu May 1 2014

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 20 13TH AVE COLUMBUS, OH

Mailing Address: 68 S 4TH ST
COLUMBUS, OH 43215

Owner: OXFORD CAMPUS I LLC

Parcel Number: 010018622

ZONING INFORMATION

Zoning: ORIG, Commercial, C4

effective 2/27/1928, Height District H-35

Board of Zoning Adjustment (BZA): 12310-00194

Commercial Overlay: UNIVERSITY UCO

Graphic Commission: N/A

Area Commission: University Area Commission

Planning Overlay: University/Impact

Historic District: N/A

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

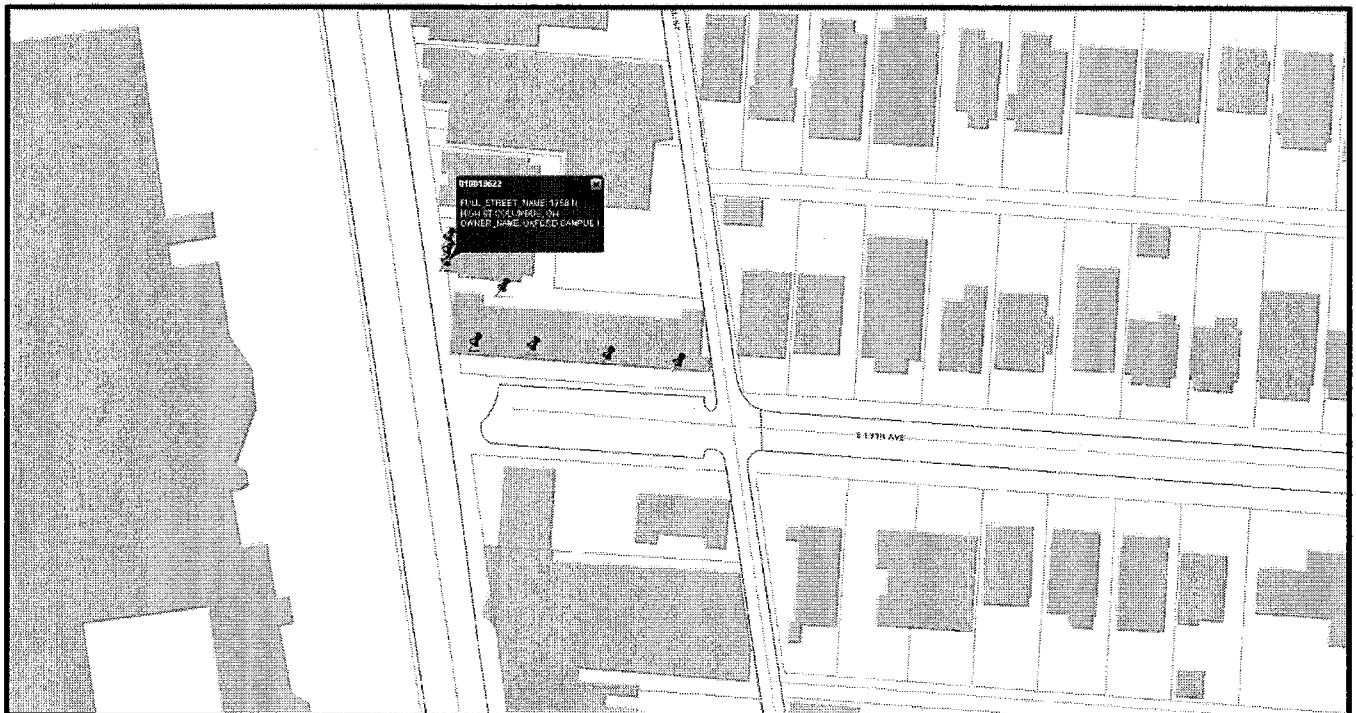
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A





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AFFIDAVIT

14310-00000-00239

20 EAST 13th STREET

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME RICHARD G. BUTZ, ARCHITECT
of (1) MAILING ADDRESS 5940 N. HIGH ST. WORTHINGTON, OHIO 43085
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) OXFORD CAMPUS I LLC
68 S. FORTH STREET
COLUMBUS, OHIO 43215

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

RICHARD G. BUTZ, ARCHITECT
(614) 565-5729

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) UNIVERSITY AREA COMMISSION
DANIEL FERDELMAN (645-6096)
W GAY ST. COLUMBUS, OHIO 43215

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS

SEE ATTACHED SHEET

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8) x

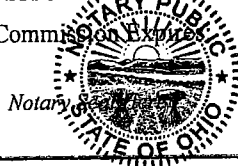
Subscribed to me in my presence and before me this 12 day of April, in the year 2014

SIGNATURE OF NOTARY PUBLIC

(8)

My Commission Expires

x 03-07-2016



BRADLEY A. DIEM
Notary Public, State of Ohio
My Comm. Expires March 7, 2016

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STATEMENT OF HARDSHIP

14310-00000-00239

20 EAST 13th STREET

APPLICATION # _____

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. That special circumstances or conditions apply to the subject property that does not apply generally to other properties in the same zoning district.
 2. That the special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. That the special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. That the grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

SEE ATTACHED SHEET

Signature of Applicant X

Date MONDAY, 14 APRIL 2014

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STATEMENT OF HARDSHIP 3307.09 RESPONSE

PER ZONING REGULATIONS PER CC 3312.03 ADMINISTRATIVE REQUIREMENTS AND CC 3313.47 CALCULATION METHODS IT IS DETERMINED THAT THE OWNERS OF FORMAGGIO'S SPORTS BAR ARE REQUESTING A VARIANCE FROM THE ABOVE LISTED APPLICABLE CITY OF COLUMBUS ZONING REGULATIONS. THE GENESIS OF THE VARIANCE REQUEST IS THE ALTERATION, REMODELING, AND RELOCATING THE EXISTING TOILET FACILITIES FOR EACH OF THE TWO STORIES TO A NEW 160 SFT ADDITION TO THE REAR OF THEIR 20 E. 13TH AVENUE LOCATION. THE OWNERS HAVE APPLIED AND BEEN APPROVED EXPANSION BY THE UNIVERSITY AREA COMMISSION.

THE PROPERTY AT 4-20 E. 13TH IS ZONED C-4. THE PROPERTY IS BY TODAY'S NOMENCLATURE A NEIGHBORHOOD SHOPPING CENTER. THE PROPERTY AT 20 E. 13TH STREET IS USED AS SPORTS BAR. THE SPORTS BAR'S PATRONS ARE THE RESIDENTS OF THE CAMPUS NEIGHBORHOOD EITHER RESIDING IN CAMPUS AND OR OFF CAMPUS HOUSING. NINETY FIVE PERCENT OF THE PATRONS WALK TO THE ESTABLISHMENTS IN THE NEIGHBORHOOD SHOPPING CENTER. HOWEVER, THE PROPERTY IS FURTHER CODIFIED BY THE UNIVERSITY OVERLAY. DUE TO THE DENSITY OF THE NEIGHBORHOOD PARKING FOR AN ASSEMBLY USE, I.E. A BAR AND/OR RESTAURANT ANY EXPANSION OF THE BUILDING REQUIRES A VARIANCE.

THE SPECIAL CIRCUMSTANCE OF THE PROPERTY LISTED AS 4-20 E. 13TH AVENUE IS THERE IS NO PARKING AT ALL ON THE SITE. THE BUILDING WAS ORIGINALLY CONSTRUCTED AS TOWNHOUSE APARTMENTS CIRCA 1920. AUTOMOBILES WERE IN THEIR INFANCY AND PAVED ROADS WERE THE EXCEPTION NOT THE RULE. THE TOWNHOUSES WERE BUILT FOR STUDENTS AND STAFF WHEREAS THE ORIGINAL NEIGHBOR WAS A WALKING COMMUNITY. OVER THE YEARS THE COMMUNITY GREW CARS BEGAN TO TRANSFORM FROM A LUXURY TO A NECESSITY. THE MARKET PLACE CALLED FOR COMMERCIAL SERVICES AND THE TOWNHOUSES WERE CONVERTED INTO RETAIL SPACES. HOWEVER, THE ORIGINAL PLATTING OF THE LOT(S) AND THE ORIGINAL FOOTPRINT OF THE BUILDING ESSENTIALLY LAND LOCKED THE SITE TO THE EXCLUSION OF ANY ONSITE PARKING.

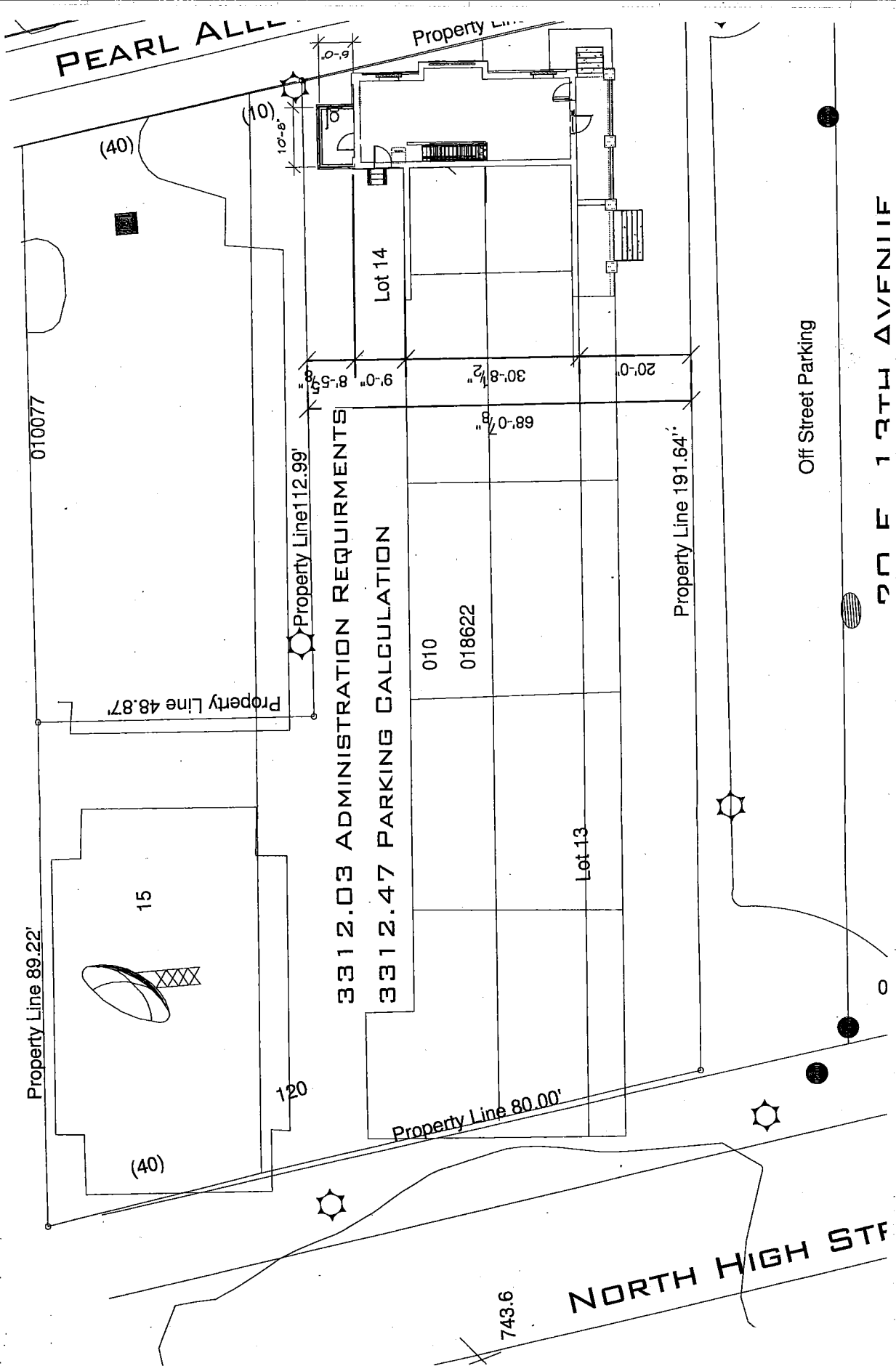
THE ADDITION IS TWO STORY TOILET RELOCATION AND REMODELING OF THE EXISTING TOILET FACILITIES. THE ORIGINAL TOWNHOUSE USE LAYOUT UNDERSTANDABLY NEVER ADDRESSED THE FUTURE USE OF A COMMERCIAL RETAIL SPACE. LEASES HOLD ALTERATIONS OF THE TOILET FACILITIES IN THE PAST TODAY DO NOT ADDRESS PRESENT DAY EXPECTATIONS OF THE OWNERS AND GENERAL PUBLIC'S PERCEPTION OF THE HEALTH, SAFETY, AND WELFARE OF SANITARY FACILITIES. THE OWNERS FEEL THEY HAVE THE RIGHT AND MORE IMPORTANTLY OBLIGATION TO PROVIDE THEIR PATRONS A QUALITY ENTERTAINMENT EXPERIENCE EACH AND EVERY DAY THEY ARE OPEN TO THE PUBLIC.

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20 EAST 13th STREET

THE GRANTING OF A VARIANCE WILL BE IN KEEPING OF THE UNIVERSITY OVERLAY'S INTENT TO MONITOR ON A CASE BY CASE REGULATION OF ANY AND ALL NEW AND/OR EXPANSION OF EXISTING BUILDINGS IN THE OVERLAYS PURVIEW. THE ADDITION IS TO HOUSE THE MODERNIZATION OF THE ACCESSORY USE OF THE TOILET FACILITY. THE OCCUPANCY FOR 20 E. 13TH AVENUE IS ALREADY ACCOUNTED FOR IN THE EXISTING OCCUPANCY CALCULATION. THERE WILL BE NO REAL INCREASE IN THE MINUSCULE AMOUNT OF PATRONS DRIVING TO THE PROPERTY. HENCE, THE UNIVERSITY AREA OVERLAY IS WORKING IN THE APPLICATION AND INTENT IN MAKING THE UNIVERSITY AREA LIVABLE BY GRANTING THE VARIANCE REQUESTED.

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Real Estate / GIS Department



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20 EAST 13th STREET



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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # **14310-00000-00239**
20 EAST 13th STREET

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) RICHARD G. BUTZ, ARCHITECT
of (COMPLETE ADDRESS) 5940 N. HIGH ST. WORTHINGTON, OHIO 43085
deposes and states that (he/~~she~~) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

SAMER MICHAEL

13 E. 13TH AVENUE

COLUMBUS, OHIO 43201

FADI MICHAEL

13 E. 13TH AVENUE

COLUMBUS, OHIO 43201

SIGNATURE OF AFFIANT

x

Richard Butz

Subscribed to me in my presence and before me this 12 day of April, in the year 2014

SIGNATURE OF NOTARY PUBLIC

x

Bradley A. Diem

My Commission Expires:

03-07-2016

Notary Seal Here



BRADLEY A. DIEM
Notary Public, State of Ohio
My Comm. Expires March 7, 2016

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